

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES A. DOOLING, III,
Plaintiff,

v.

CIVIL ACTION NO. 13-11844-NMG

JAMES B. NUTTER & COMPANY
and FEDERAL NATIONAL
MORTGAGE ASSOCIATION,
Defendants.

REPORT AND RECOMMENDATION ON
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (#25).

KELLEY, U.S.M.J.

Defendants James B. Nutter & Company and Federal National Mortgage Association filed a motion for summary judgment (#25) on September 24, 2014. That motion was fully briefed. (##26, 27, 28, 29, 30.) On June 3, 2015, Defendants filed a second motion for summary judgment (#37) which supercedes the initial motion (#25). Because Defendants' first-filed motion for summary judgment (#25) is now moot, I RECOMMEND that it be DENIED on that basis.

Review by District Judge

The parties are hereby advised that any party who objects to this recommendation must file specific written objections with the Clerk of this Court

within 14 days of the party's receipt of this Report and Recommendation. The

Upon consideration of plaintiff's objection thereto (Docket No. 42) and acknowledging that this Court's ruling does not foreclose plaintiff from seeking sanctions against defendants in a properly filed motion, Report and Recommendation accepted and adopted.
SBM/Gordon, USDJ 7/10/15